



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,846	11/13/2003	Pascal Auxerre	033818-023	4872

7590 06/11/2004

HAROLD R. BROWN III
BURNS, DOANE, SWECKER & MATHS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

JULES, FRANTZ F

ART UNIT	PAPER NUMBER
----------	--------------

3617

DATE MAILED: 06/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/705,846

Applicant(s)

AUXERRE, PASCAL

Examiner

Frantz F. Jules

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11132003</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the recitation of "a plurality of circumferential carcass-type reinforcement structure sections of limited lengths, whose axial position separates from the two other adjacent circumferential sections from the sidewall to the rim protector" in claim 5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:

In the abstract, last line, the designation "Figure 1" should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites the limitation "the two other adjacent circumferential sections" in lines 3-

4. There is insufficient antecedent basis for this limitation in the claim since claim 1 only recited an adjacent portion of a secondary reinforcement structure.

In claim 5, lines 2-3, the phrase "a plurality of circumferential carcass-type reinforcement structure sections of limited lengths, whose axial position separates from the two other adjacent circumferential sections from the sidewall to the rim protector" is confusing as it is unclear which particular structure applicant is referring to.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3617

6. Claims 1-4, 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshida et al.

Claims 1-4, 6-7

Yoshida et al disclose a tire comprising at least one carcass-type reinforcement structure anchored on each side of the tire in a bead whose base is intended to be mounted on a rim seat, each bead (15) extending radially outwards by a sidewall, the sidewalls radially outwardly joining a tread, the carcass-type reinforcement structure (10, 11) extending circumferentially from the bead to the sidewall, and a crown reinforcement, each of the beads further comprising a main anchoring zone shown at (7) for attaching the reinforcement structure, the tire comprising in a radially outer position relative to the main anchoring zone a rim protector provided with a rubber projection extending in the region identified as 6 as shown in figs. 4-5 extending axially outwardly relative to the sidewall and comprising at least one secondary anchoring zone shown between 6 and 13 comprising a plurality of circumferential cord Windings (12), the windings cooperating with an adjacent portion of a secondary reinforcement structure (10) via a rubber anchoring mix (16), said anchoring zones being oriented substantially radially.

The secondary reinforcement structure is a structure portion extending from the rim protector up to a radially outer portion of the sidewall in accordance with claim 2.

The secondary reinforcement structure cooperates with the first reinforcement structure in accordance with claim 3.

Art Unit: 3617

The secondary reinforcement structure extends from one sidewall of the tire to the other along a meridian path substantially adjacent to that of the first carcass-type reinforcement structure in accordance with claim 4.

The main anchoring zone comprises a plurality of circumferential windings which are embedded in member 13 cooperating with the adjacent reinforcement structure portion via a rubber anchoring mix in accordance with claim 6.

The main anchoring zone comprises a bead wire (15) about which a portion of the carcass-type reinforcement structure is at least partially wound in accordance with claim 7.

Allowable Subject Matter

6. Claim 5 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Yoshida et al, Diernaz, Caretta, Pena et al, Auxerre, Noma et al, and Durif are cited to show related tire comprising main anchoring zone including secondary anchoring zone. Declerq is cited to show a related tire comprising an adapter comprising main and secondary anchoring zone.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (703) 308-

Art Unit: 3617

8780. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz F. Jules
Primary Examiner
Art Unit 3617

FFJ

June 7, 2004

FRANTZ F. JULES
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Frantz', with a large, sweeping flourish extending to the right.